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2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA

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5 UNITED STATES OF AMERICA, et al.,
6 Plaintiffs,
7 v.
8 CARELINK HOSPICE, INC.,
9 Defendant.

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Defendant Carelink Hospice, Inc. ("Carelink") moves to dismiss Relator Yolanda Armstrong-Young's Complaint (Dkt. No. 1) under Rule 12(b)(6) for failure to state a claim. She has yet to respond.

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After the motion was filed, Armstrong-Young sent correspondence to the Court, indicating that she wishes to concede to dismissal of so long as she is granted leave to amend. That correspondence was returned, and Armstrong-Young was advised by my Courtroom Deputy that communications/submissions to the Court must be e-filed in the docket. She was also advised that if there is a dispute over whether an Amended Complaint may be filed as of right, she may wish to file an Amended Complaint and, at the same time, a Motion for Leave to File an Amended Complaint. As of today, Armstrong-Young has failed to do either.

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Because Armstrong-Young has not opposed Carelink's motion, I GRANT the motion to dismiss. Given Federal Rule of Civil Procedure 15's liberal amendment standard, Armstrong-Young may have leave to amend. Armstrong-Young must file her amended complaint within 20 days of the date of this Order.

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IT IS SO ORDERED.

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Dated: March 23, 2018

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Case No. [15-cv-04095-WHO](#)

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**ORDER GRANTING MOTION TO
DISMISS**

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Re: Dkt. No. 17

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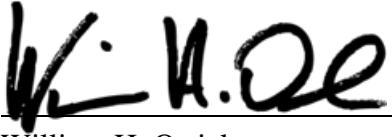
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William H. Orrick
United States District Judge